

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Christopher Combs, et al.,

Case No. 3:24-cv-737

Plaintiffs,

v.

ORDER

Alliance Shippers, Inc., et al.,

Defendants.

On April 23, 2024, Plaintiffs filed this action, invoking federal diversity jurisdiction. (Doc. No. 1). Plaintiffs now seek to file an Amended Complaint naming additional Defendants. (Doc. No. 8). The current Defendants have consented to this motion. (*Id.*).

Through the Amended Complaint, Plaintiffs seek to add claims against new Defendants Performance Team, LLC, Loup Logistics Company, LLC, and “Maersk Inc. d/b/a Maersk Agency U.S.A. Inc. d/b/a Maersk Line Ltd.” (Doc. No. 8-2). Plaintiffs maintain this court has original diversity jurisdiction over the Amended Complaint. But with respect to these new proposed Defendants, I have my usual concerns regarding insufficient pleading of jurisdiction. For example, the proposed Amended Complaint does not set forth the identity and citizenship of the members and sub-members of either LLC Defendant. *See Delay v. Rosenthal Collins Grp., LLC*, 585 F.3d 1003, 1005 (6th Cir. 2009).

Because I appreciate that this information may not be readily accessible to a plaintiff, I grant the motion for leave to file an Amended Complaint and order they do so by June 28, 2024. (Doc. No. 8). But I caution Plaintiffs that this action will be dismissed if they fail to timely demonstrate

complete diversity exists between themselves and all Defendants to this action, including those John Doe Defendants from which they see relief. *See* Fed. R. Civ. P. 12(h)(3).

In light of the impending Amended Complaint and question as to this court's jurisdiction over it, I conclude holding a Case Management Conference at this time would be futile. Therefore, I vacate the July 2, 2024 Case Management Conference. (Doc. No. 7).

So Ordered.

s/ Jeffrey J. Helmick
United States District Judge